



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,152	07/03/2001	Michael Wen-Chein Yang	POLY-1193	7052

7590 08/25/2004

John L. Cordani
Carmody & Torrance LLP
P.O. Box 1110
50 Leavenworth Street
Waterbury, CT 06721-1110

EXAMINER

HAMILTON, CYNTHIA

ART UNIT	PAPER NUMBER
	1752

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No. 09/898,152	Applicant(s) YANG ET AL.
	Examiner Cynthia Hamilton	Art Unit 1752

All participants (applicant, applicant's representative, PTO personnel):

(1) Cynthia Hamilton. (3) _____.

(2) Jennifer A. Calcagni, ESQ. (4) _____.

Date of Interview: 24 August 2004.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: none.

Identification of prior art discussed: Fan et al.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

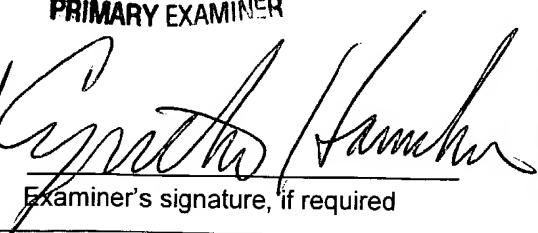
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See ATTACHMENT and submitted PTOL-413A (Applicant Initiated Interview Request Form dated 8/17/2004. A signed copy will be sent to applicant's representative via fax as soon as possible to avoid delay that might occur because of the mailing of this Interview Summary..

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

CYNTHIA HAMILTON
PRIMARY EXAMINER

CYNTHIA HAMILTON
PRIMARY EXAMINER

8-24-04 

Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

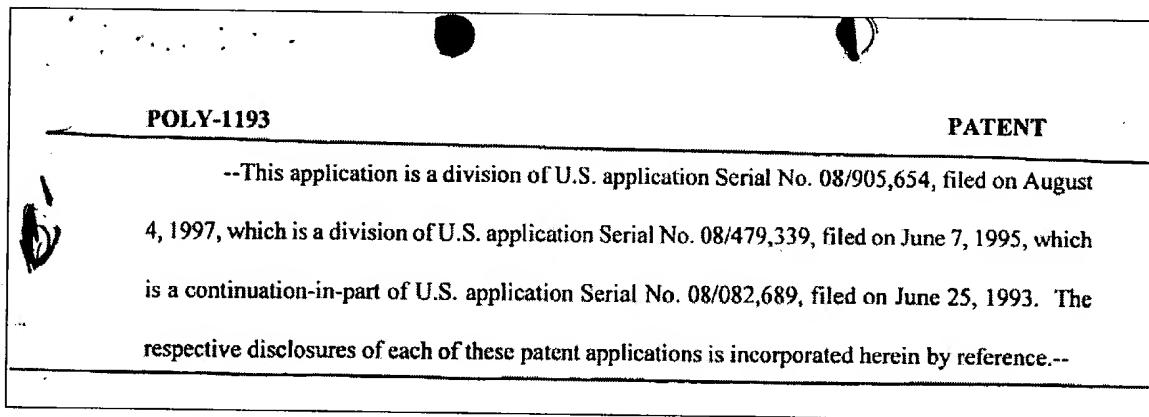
Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

ATTACHMENT

Substance of Interview including description of the general nature of what was agreed to of an agreement was reached, or any other comments:

- 1) Discussed Amendment to the specification submitted by Applicants on August 13, 2001 which is as follows:



Applicants' representative pointed out that the Serial No. 08/479,339 was corrected at this time within a month of the filing of the original application. The examiner agreed that correction was done in a timely fashion as required by 37 CFR 1.78 (a) (2). The examiner noted applicants needed to respond the final amendment and bring up this issue in writing but that it appeared the Examiner had missed this amendment when transitioning from paper files into the new IFW system, since the issue arose for the first time in the Office Action of November 6, 2003 which would have been the first action after this application was electronically scanned. Thus, any new rejections having to be made because of the examiner to fully consider all the papers would result in a removal of the finality of the last Office Action.

- 2) The examiner pointed out possible issues with respect to the addition of incorporation by reference to the Serial NO. 08/905,654 and Serial No. 08/082,689 might raise

some objection to new matter. Applicant's representative pointed to the Transmittal papers of July 3, 2001 and the amendment therein for support of the incorporation being made at time of filing. It is as follows in amended file form:

Please enter the following amendment to the Specification under the Cross-Reference to Related Applications section (or create such a section): This Application:

is a continuation of is a divisional of Application Serial No. 08/905,654 filed 8/4/97, which is a file wrapper continuation of 08/479,337 filed 6/7/95 which is a continuation in part of 08/082,689 filed 6/25/93, the contents of each of which are hereby included by reference in their entity.

Sub B

The examiner noted that the Amendment in the Transmittal papers was not part of the Declaration submitted with the application. Incorporation of 08/082,689 is part of the original specification minus the 08 serial code as shown below from the amended copy of the original Specification:

LASER IMAGED PRINTING PLATES

Related Applications

Sub B

This application is a continuation-in-part of our copending application United States Serial No. 082,689 filed June 23, 1993, entitled LASER IMAGED PRINTING PLATES, incorporated herein by reference.

The examiner noted that she had not had enough time to consider the issue of incorporation for the present interview. Applicants needed to address this in an after final response so that she could consider the issue as a whole.

3) The examiner noted that there could be some issue as to the support of all of the claims of record all the way back to the original Serial No. 08/082,689 that could leave Fan et al

as a reference. However, for all claims with complete support, the Fan et al reference appeared to be removed as prior art due to the presence of the amendment of August 13, 2001 and correction of the Serial No. 08/479,337 to Serial No. 08/479,339.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cynthia Hamilton whose telephone number is 571-272-1331. The examiner can normally be reached on Monday through Friday 9:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia H Kelly can be reached on (571) 272-0729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cynthia Hamilton
Primary Examiner
Art Unit 1752

August 24, 2004

CYNTHIA HAMILTON
PRIMARY EXAMINER

PTOL-413A (08-03)
Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No. 09/898,152 First Named Applicant: Yang
Examiner: C. Hamilton Art Unit: 1752 Status of Application: After Final

Tentative Participants:

(1) C. Hamilton (2) _____
(3) J. Calcagni (4) _____

Proposed Date of Interview: 08/24/04 Proposed Time: 10:00 (AM/PM)

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: YES NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>rej.</u>	<u>15,17-20,22</u>	<u>Fan</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	<u>26-27,46-49</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>priority claim</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Corrected cross-reference to related application timely made in a preliminary amendment. Examiner alleged that claim to priority was not made and applicant attempted to correct without noticing that the preliminary amendment had already corrected the problem. An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

J. Calcagni

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.